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Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NICOLE YVETTE CARPENTER,

Plaintiff,

v.

MARTIN O'MALLEY,
Commissioner of Social Security,

Defendant.

)
) Case No.: 2:24-cv-01676-DJA
)

) **STIPULATION TO VOLUNTARY**
) **REMAND PURSUANT TO SENTENCE**
) **FOUR OF 42 U.S.C. § 405(g) AND TO**
) **ENTRY OF JUDGMENT FOR**
) **PLAINTIFF**
)
)
)

The parties, through their respective counsel, hereby stipulate and agree that the above-captioned case be reversed and remanded to the Commissioner of Social Security for a hearing before an Administrative Law Judge (ALJ) and a new decision in regard to Plaintiff's applications for disability benefits. On remand, the ALJ will take any necessary action to complete the administrative record, offer Plaintiff a hearing, reevaluate Plaintiff's subjective complaints, reevaluate Plaintiff's RFC,

1 and continue through the sequential evaluation process, to include obtaining vocational evidence, as
2 necessary, and issue a new decision.

3 The parties stipulate that this remand be made pursuant to sentence four of 42 U.S.C. § 405(g),
4 and that Plaintiff may be entitled to reasonable attorney fees and costs pursuant to the Equal Access to
5 Justice Act, 28 U.S.C. § 2412(d), upon proper request to this Court.

6 The parties further request that the Clerk of the Court be directed to enter a final judgment in favor
7 of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

8 DATED this 12th day of November 2024.
9

10 Respectfully submitted,

11 JASON M. FRIERSON
United States Attorney

12 MATHEW W. PILE
13 Associate General Counsel
14 Office of Program Litigation, Office 7
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15 s/ Franco L. Becia

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1 DATED this 12th day of November 2024.

2 s/ Franco L. Becia For
3 LEONARD STONE and MARC KALAGIAN
4 Attorneys for Plaintiff
(PER EMAIL AUTHORIZATION)

5 **IT IS SO ORDERED.** The Clerk is kindly directed to enter judgment accordingly and close
6 this case.

7 
8 _____
UNITED STATES MAGISTRATE JUDGE

9 DATED: 11/13/2024
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CERTIFICATE OF SERVICE

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 6401 Security Boulevard, Baltimore, MD 21235. I am not a party to the above-entitled action. On the date set forth below, I caused service of **STIPULATION TO VOLUNTARY REMAND PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g) AND TO ENTRY OF JUDGMENT FOR PLAINTIFF** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing to:

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I declare under penalty of perjury that the foregoing is true and correct.

DATED this 12th day of November 2024

/s/ Franco L. Becia
Franco L. Becia
Special Assistant United States Attorney